

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

BARLOVENTO, LLC,

Plaintiff/Counter-Defendant,

v.

Civ. No. 18-1112 GJF/JHR

AUI, INC.,

Defendant/Counterclaimant, and

WESTERN SURETY COMPANY,


Defendant.

ORDER GRANTING LEAVE TO FILE OBJECTIONS

THIS MATTER is before the Court on Defendants’ “Motion for Leave to File an Opposition to Plaintiff’s Jury Instructions” [ECF 183] (“Motion”) and Plaintiff’s response thereto [ECF 185]. Having reviewed the record and the briefing, the Court finds good cause for allowing Defendants to file their objections [ECF 184], albeit four days late—particularly as (1) Defendants’ error was due to an inadvertent calendaring omission, *see* ECF 183 at 1; (2) the jury trial will not occur until sometime next year, *see* ECF 198 at 2; and (3) the Court discerns no prejudice to Plaintiff occasioned by the Court’s consideration of these objections, *see also* ECF 185 at 1-2 (Plaintiff offering no explanation for its assertion that “[this] four day gap is highly prejudicial”).

IT IS THEREFORE ORDERED that Defendants’ Motion is **GRANTED**. The Court will thus consider Defendants’ objections that are docketed at ECF 184.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent